

Application Serial No. 10/010,293  
Date February 6, 2004  
Reply to Office Action dated December 17, 2003

Page 11 of 15

### REMARKS

Entry of this Communication in response to the "final" Office Action dated December 17, 2003 is respectfully requested.

In the Office Action, claims 1, 4, 10-13, 15, 16, 19, 22, 25, 26, 28, and 30 are objected to. Claims 15 and 16 are rejected under 35 USC §112, second paragraph. Claims 1, 4, 7, 10, 11, 13, 15, 16, 19, 22, 24-26, 28, 30, 33, and 35-37 are rejected under 35 UCS §102(b). Claims 5, 6, 8, 9, and 12 are indicated as being allowable if rewritten to overcome the objections and to include all of the limitations of the base claim and any intervening claims. Claims 20, 21, 23, 27, 31, 34, and 38 are also indicated as being allowable if rewritten to overcome the rejection under 35 USC §112, second paragraph and to include all of the limitations of the base claim and any intervening claim.

Accordingly, by this amendment certain claims have been amended to independent form which the Examiner has indicated would be allowable. Claims 16-28 have been cancelled as the subject matter thereof is substantially the same as that set forth in claims 1-13 and 15-38. Certain other claims have been amended to address the objections raised by the Examiner and to particularly point out and distinctly claim the subject matter of the invention. For the reasons set forth hereafter, it is respectfully submitted that Applicants' invention as set forth in the claims includes features which are not anticipated by the cited reference. Reconsideration is, therefore, respectfully requested.

In the Office Action, amendments have been made to claims 1, 4, 10-13, 15, and 30 to address the objections raised by the Examiner. Claim 15 has also been amended to redefine Applicants' invention in a manner to particularly point out and distinctly claim the subject matter of the invention as required by 35 USC §112, second paragraph.

Accordingly, it is respectfully submitted that the objections have been overcome and that claim 15 meets the requirements of 35 USC §112, second paragraph.

Application Serial No. 10/010,293  
Date February 6, 2004  
Reply to Office Action dated December 17, 2003

Page 12 of 15

Claims 1, 4, 7, 10, 11, 13, 15, 30, 33, and 35-37 are rejected under 35 USC §102(b) as being anticipated by Marshall.

However, it is respectfully submitted that Applicants' invention as set forth in independent claims 1 and 15, and the listed claims depending respectively therefrom, includes features which are not anticipated by Marshall.

Briefly, Marshall discloses a washer for electrically connecting the tubes of a fluid line. The fluid line has tubes set end-to-end and connected together by couplings in which resilient electrically conductive devices are fitted. Each conductive device is disposed in between the ends of two adjoining, spaced tubes and has lobes which engage the ends of the tubes to establish an electrical connection between the adjoining tube ends. Each conductive device has axially extending tabs which fit into one of the tubes to hold the device in place.

It is clear from the drawings of Marshall that the annular ring portion of the coupling device contacts a conductive flange extending perpendicularly from a ferrule mounted on the end of each tube. The ferrules provide a base for a coupler for holding the two tubes in a fixed coupling.

The annular ring on the coupler contacts the ferrule of one of the tubes. The annular ring has portions which bend out of the main plane so as to contact the end of the opposite tube, with lobes attached to the bent end extending inward into the end of the opposite tube. Thus, Marshall teaches an electrically connecting device for a tube in which lobes on the connecting device extend into the end of one tube. However, the electrical device which is the form of a washer is disposed in contact with the outer end of a ferrule mounted on the end of the adjacent tube. While the coupler of Marshall may be adequate for establishing electrical contact between the spaced ends of two tubes, Applicants' invention as set forth in claims 1 and 15, and the claims depending therefrom, includes features which are not taught by Marshall.

In Applicants' invention, the electrical contact is disposed in the bore of a quick connector housing. The bore in the housing is configured to received an inserted open end of an endform. This configuration defines a quick connector

Application Serial No. 10/010,293  
Date February 6, 2004  
Reply to Office Action dated December 17, 2003

Page 13 of 15

having a completely different structure from Marshall as the two mating elements of Applicants quick connector are innerfitted, one in the other as compared to the coupler of Marshall which, while joining two tubes together, nevertheless, holds the two tubes in an axially spaced, end-to-end arrangement.

Secondly, the contact of Applicants' invention is mounted in the bore of one of the two mating components, in this case, the quick connector housing. The contact has an arm extending from a first portion mounted in the quick connector housing bore which is configured to extend through the open end of the endform inserted into the bore in the housing and into contact with an inner surface of the endform to establish electrical contact between the quick connector housing and the endform regardless of the presences or not of an electrically insulating coating on the exterior surface of the endform. In Marshall, the end of the washer which does not carry the lobes extending into the bore in the opposite tube, does not extend into the open end of the opposite tube into contact with an inner surface of the opposite tube. Rather, the annular portion of washer of Marshall contacts the end of the tube, or, more specifically, the flange on the ferrule mounted on the end of the opposite tube.

Thirdly, if the Examiner takes the position that the arm of Applicants' invention corresponds to the lobe of the washer of Marshall, then the annular portion of Marshall's washer clearly is not mounted in a bore in a housing as it seats against the end of the flange on the ferrule mounted on the end of the tube rather than being disposed inside of the tube.

For these reasons, it is respectfully submitted that Applicants' invention set forth in claims 1 and 15, and the claims depending therefrom, includes features which are not anticipated by Marshall.

Claims 5, 6, 8, 9, and 12 are indicated as being allowable if rewritten to overcome the rejections and to include all of the limitations of the base claim and any intervening claim. Accordingly, claims 5, 8, 9, and 12 have been amended to independent form. Claim 6 remains depending from claim 5. Thus, claims 5, 6, 8, 9, and 12 are submitted to be in condition for allowance.

Application Serial No. 10/010,293  
Date February 6, 2004  
Reply to Office Action dated December 17, 2003

Page 14 of 15

Claims 31, 34, and 38 are also indicated as being allowable if amended to overcome the rejection under 35 USC §112, second paragraph and to include all of the limitations of the base claim and any intervening claim. It is noted that the Office Action appears to include a typographical error as the claim number 31 is listed twice in this allowable statement. Since claim 32 depends from allowable claim 31 and recited subject matter identical to allowable claim 6, and, further, since claim 32 is not rejected over the cited reference, it is presumed that the Examiner meant to include claim 32 in this allowable claim statement.

Claim 35 was rejected over the cited reference. However, claim 35 recited subject matter identical to allowable claim 9. Both claim 35 and claim 9 depend from substantially identical intervening claim. Thus, it is submitted that claim 35 should also be allowable for the same reasons which form the basis for the allowability of claim 9.

As such, claims 31, 34, 35, and 38 have been amended to independent form. Claim 32 remains depending from claim 31. As such, it is respectfully submitted that claims 31, 32, 34, 35, and 38 are also in allowable condition.

In summary, Applicants respectfully submit that this amendment overcomes all objections and rejections raised by the Examiner. For the reasons set forth above, it is respectfully submitted that Applicants' invention includes features which are anticipated by the cited reference to Marshall. Accordingly, all of the pending claims are submitted to be in condition for allowance; a notice of which is respectfully requested.

Entry of this amendment under the provisions of Rule 37 CFR 1.116 is submitted to be warranted and is respectfully requested. By this amendment, Applicants have amended certain claims to place them in a form which the Examiner has indicated would be allowable. Certain other claims have been amended to overcome objections noted by the Examiner and to more particularly point out and distinctly claim the subject matter of the invention. Certain other claims have been amended to specifically define Applicants' invention in a manner which makes it patentably distinct from the cited reference.

Application Serial No. 10/010,293  
Date February 6, 2004  
Reply to Office Action dated December 17, 2003

Page 15 of 15

The amendments to the claims are being presented at this time since this is Applicants first opportunity to address a rejection based on Marshall which was newly cited in the "final" Office Action. Applicant firmly believed that the form of the claims prior to the "final" Office Action adequately overcame the previously cited references which indeed was true since the previous references were not cited in the "final" Office Action.

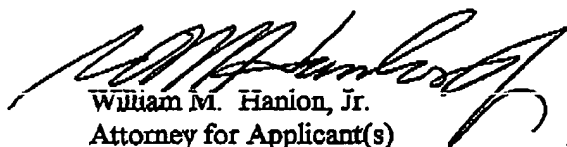
Applicants have cancelled claims 16-29 thereby significantly reducing the issues for consideration by the Examiner. The amendments to the claims incorporates subject matter from dependent claims and do not introduce new matter which would require undo consideration or further search by the Examiner.

As such, it is respectfully submitted that this amendment meets all of the requirements of 37 CFR 1.116 for entry of an amendment after final.

However, if the Examiner believes that further amendments to the claims are necessary to place all of the claims in allowable condition, the Examiner is invited to contact Applicants' attorney at the below listed telephone number.

Respectfully submitted,

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